

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

DARNELL KIDD,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/28/2022

Case No. 20-cr-572 -02 (NSR)

ORDER

WHEREAS, the Court and the parties seek to ensure that Darnell Kidd has access to review certain discovery and other case materials while detained at the Metropolitan Detention Center, Brooklyn (“MDC”); and

WHEREAS, the Court seeks to ensure that such discovery access does not jeopardize the security and operational interests of the MDC Brooklyn;

IT IS HEREBY ORDERED that

1. Darnell Kidd may have access to an “air-gapped” laptop computer (the “Laptop”) that is disabled from accessing the internet, local area networks, or other electronic devices;
2. The Government shall (a) ensure that the Laptop is appropriately “air gapped” and compatible with the MDC Brooklyn’s security requirements; (b) load the Laptop with certain non-sensitive discovery in this case; and (c) deliver the Laptop to the proper authorities at the MDC Brooklyn at a reasonable time deemed appropriate;
3. The Laptop shall be password-protected and maintained in a location acceptable to Bureau of Prisons personnel;
4. Bureau of Prisons personnel will provide Darnell Kidd with access to the Laptop Monday through Sunday in the visiting room, if requested by Darnell Kidd;
5. This Order remains in effect until the trial in this matter is completed and a copy of this Order shall be made available to the Unit Team/Floor where Darnell Kidd is

housed;

6. Darnell Kidd shall use the Laptop for the sole purpose of reviewing discovery and legal materials that relate to his criminal case, he shall not share the Laptop or the materials loaded onto the Laptop with other inmates or with any attorney not appointed to this case without an order of this Court, he will not access or attempt to access the internet or any form of wireless communication, and that he will forfeit his right under this Order to use the Laptop, and that he may expose himself to criminal prosecution for possessing or distributing a “prohibited object” as that term is defined in 18 U.S.C. § 1791(d) in the future, should he violate any of these understandings.
7. Within forty-eight hours of MDC Brooklyn’s receipt of the Laptop from the Government, Darnell Kidd shall receive access to the Laptop subject to the following conditions:
 - a. Darnell Kidd will be brought to the visiting room upon his request to the unit officer Monday through Sunday;
 - b. Darnell Kidd shall not have possession of any charging apparatus or cord that connects to the laptop.

Dated: White Plains, New York
October 28, 2022

SO ORDERED

A handwritten signature in black ink, appearing to read 'Nelson S. Román', is written over a horizontal line.

The Honorable Nelson S. Román
United States District Court
District of New York